

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: Kimberly J. Brink,	:	Bankruptcy No. 23-21577-CMB
	:	
Debtor.	:	
	:	
	:	Chapter 13
_____	:	
Kimberly J. Brink,	:	
	:	Document No.:
Movant,	:	
	:	Related Document No.: 43
v.	:	
	:	Hearing Date and Time:
No Respondent,	:	January 9, 2024, at 1:30 p.m.
	:	
Respondent.	:	ENTERED BY DEFAULT

ORDER EMPLOYING SPECIAL COUNSEL NUNC PRO TUNC

AND NOW, this 5th day of December, **2023**, upon consideration of the *Application for Order of Employment of Special Counsel Nunc Pro Tunc* John T. Haller, Jr., Esquire and the law office of Haller & Imbarlina, LLC of it is ORDERED, **ADJUDGED and DECREED** as follows:

(1) John T. Haller, Jr., Esquire and the law office of 20120 Route 19, Suite 208, Cranberry Township, PA 16066, is hereby appointed, as of December 5, 2023, as *Special Counsel* for the Debtor pursuant to the terms (including compensation terms) described in the Fee Agreement attached to the above referenced *Motion* for the limited purpose of acting as attorney in connection with the interest of the Debtor in her divorce proceeding.

(2) Professional persons or entities performing services in the above case are advised that approval of fees for professional services will be based not only on the amount involved and the results accomplished, but other factors as well including: the time and labor reasonably required by counsel, the novelty and difficulty of the issues presented, the skill requisite to perform the legal service properly, the preclusion of other employment due to acceptance of this case, the customary fee, whether the fee is fixed or contingent, the time limitations imposed by the client or the circumstances, the experience, reputation and ability of the attorneys involved, the undesirability of the case, the nature and length of the professional relationship with the client, and, awards in similar cases. **John T. Haller, Jr. Esquire has a rate of \$300.00 an hour for divorce matters.**

(3) Approval of any application for appointment of counsel in which certain hourly rates/compensation terms are stated for various professionals is not an agreement by the Court to allow fees at the requested hourly rates or compensation terms, and is not a preapproval of compensation pursuant to *11 U.S.C. §328(a)*. Final compensation, awarded only after notice and hearing, may be more or less than the requested hourly rates/compensation terms based on application of the above-mentioned factors in granting approval by Court Order. ***Any retainer paid to the Special Counsel is unaffected by this Order and remains property of the Debtor until further order of Court.***

(4) Notwithstanding anything to the contrary in the letter of engagement or agreement between Movant and Special Counsel, this *Order* does not authorize Special Counsel to retain or pay any outside counsel or other professional to assist Special Counsel in this matter unless such is done at no expense to Movant, directly or indirectly. Any other retention of and payment to an outside counsel or other professional is

subject to prior approval of the Court.

(5) *Movant shall serve the within Order on all interested parties and file a certificate of service.*

FILED
12/5/23 2:52 pm
CLERK
U.S. BANKRUPTCY
COURT - WDPA


United States Bankruptcy Judge **dmr**

In re:
Kimberly J. Brink
Debtor

Case No. 23-21577-CMB
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Dec 05, 2023

User: auto
Form ID: pdf900

Page 1 of 2
Total Noticed: 2

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 07, 2023:

Recip ID	Recipient Name and Address
db	+ Kimberly J. Brink, 159 Timber Lane, Parker, PA 16049-2533
sp	+ John T. Haller, Jr., 20120 Route 19, Suite 208, Cranberry Township, PA 16066-6210

TOTAL: 2

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 07, 2023

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 5, 2023 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor CU Member Mortgage a division of Colonial Savings, F.A. bnicholas@kmlawgroup.com
Brian C. Thompson	on behalf of Plaintiff Kimberly J. Brink bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;mgillespie@thompsonattorney.com;kfinke@thompsonattorney.com;mrowe@thompsonattorney.com;thompson.brianr111424@notify.bestcase.com
Brian C. Thompson	on behalf of Debtor Kimberly J. Brink bthompson@ThompsonAttorney.com blemon@thompsonattorney.com;bthompson@ecf.courtdrive.com;mgillespie@thompsonattorney.com;kfinke@thompsonattorney.com;mrowe@thompsonattorney.com;thompson.brianr111424@notify.bestcase.com
Keri P. Ebeck	on behalf of Creditor USX Federal Credit Union kebeck@bernsteinlaw.com btemple@bernsteinlaw.com;jdryer@bernsteinlaw.com;kebeck@ecf.courtdrive.com

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: Dec 05, 2023

Form ID: pdf900

Total Noticed: 2

Keri P. Ebeck

on behalf of Defendant ONEMAIN FINANCIAL GROUP LLC kebeck@bernsteinlaw.com,
btemple@bernsteinlaw.com;jdryer@bernsteinlaw.com;kebeck@ecf.courtdrive.com

Keri P. Ebeck

on behalf of Creditor OneMain Financial Group LLC kebeck@bernsteinlaw.com
btemple@bernsteinlaw.com;jdryer@bernsteinlaw.com;kebeck@ecf.courtdrive.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

TOTAL: 8